

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Darla M. Buckland,

Plaintiff,

v.

Case No. 1:18cv494

Commissioner of Social Security,

Judge Michael R. Barrett

Defendant.

**ORDER**

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on August 12, 2019 (Doc. 16).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 16) have been filed and, on August 27, 2019, the R&R mailed to Plaintiff was returned to the Clerk’s Office as undeliverable. However, proper notice would have been provided to Plaintiff had she kept the Court apprised of her current address. By failing to keep the Court informed of her current address, Plaintiff demonstrates a lack of prosecution of her action. See, e.g., *Theede v. U.S. Dep’t. of Labor*, 172 F.3d 1262, 1265 (10th Cir. 1999) (holding that failure to object to a magistrate judge’s report and recommendation because of party’s failure to bring to the court’s attention a change in address constitutes failure to object in a timely manner, and holding that because the report was mailed to the last known address, it was properly served and party waived right to appellate review). See

*also Jourdan v. Jabe*, 951 F.2d 108, 110 (6th Cir. 1991) (holding that a pro se litigant has an affirmative duty to diligently pursue the prosecution of his cause of action); *Barber v. Runyon*, No. 93–6318, 1994 WL 163765, at \*1 (6th Cir. May 2, 1994) (holding that a pro se litigant has a duty to supply the court with notice of any and all changes in his address).

Accordingly, it is **ORDERED** that the R&R (Doc. 16) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, the decision by the Commissioner is **AFFIRMED** and this case is closed.

**IT IS SO ORDERED.**

\_\_\_\_\_/s Michael R. Barrett  
Michael R. Barrett, Judge  
United States District Court